

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (SCC) SIPA

**CERTIFICATE OF NO OBJECTION UNDER 28 U.S.C. § 1746 REGARDING
TRUSTEE'S ONE HUNDRED NINETY-SIXTH OMNIBUS OBJECTION TO
GENERAL CREDITOR CLAIMS (INSUFFICIENT DOCUMENTATION CLAIMS)
SOLELY AS TO CERTAIN CLAIMS**

Pursuant to 28 U.S.C. § 1746, and in accordance with this Court's amended case management procedures set forth in the Amended Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1015(c) and 9007 Implementing Certain Notice and Case Management Procedures, entered on July 13, 2010 (ECF No. 3466) (the "Amended Case Management Order"), and the Order pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 3007 and 9019(b) for Approval of General Creditor Claim Objection Procedures, entered on November 15, 2012 (ECF No. 5441) (the "Claims Objection Procedures Order"), the undersigned hereby certifies as follows:

1. On January 28, 2014, the undersigned, on behalf of James W. Giddens (the "Trustee"), as Trustee for the SIPA liquidation of Lehman Brothers Inc., caused the Trustee's One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims (Insufficient Documentation Claims) (ECF No. 8140) (the "Objection") to be filed with the United States Bankruptcy Court for the Southern District of New York.

2. Pursuant to the Claims Objection Procedures Order, February 18, 2014 at 4:00 p.m. (Prevailing Eastern Time) was established as the deadline for parties to object or file a

response to the Objection (the “Response Deadline”). The Amended Case Management Order provides that pleadings may be granted without a hearing, provided that no objections have been filed prior to the relevant Response Deadline and the attorney for the entity who filed the pleading complies with the relevant procedural and notice requirements.

3. The Trustee seeks limited relief as to the Objection, as provided for in the revised proposed Order attached hereto as Exhibit A.¹ This relief relates solely to proofs of claim where the Response Deadline has passed and, to the best of my knowledge, no objection or other responsive pleading to the Objection has been (a) filed with the Court on the docket of the above-referenced case in accordance with the procedures set forth in the Amended Case Management Order, or (b) served on counsel to the Trustee by any holders of proofs of claim included on the Objection.²

4. In addition, the Trustee has filed Notices of Withdrawal of the Trustee’s One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims (Insufficient Documentation Claims) Solely as to Certain Claims (the “Notices of Withdrawal”) (ECF Nos. 8349, 8368).

5. Accordingly, for the reasons set forth in the Objection, the Trustee respectfully requests that the proposed Order annexed hereto as Exhibit A, which is unmodified since the filing of the Objection, except to account for Notices of Withdrawal as described above and the reservations of rights related to the same, and other ministerial changes, be entered in accordance with the procedures described in the Amended Case Management Order.

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1. Attached hereto as Exhibit B is a black-lined copy of the proposed Order, which is marked against the version filed with the Objection.
 2. The Objection inadvertently referenced notice of the Objection as served on the claimants via overnight delivery, when notice was properly served via first-class mail pursuant to the Amended Case Management Order (see Affidavit of Service, ECF No. 8159).

I declare that the foregoing is true and correct.

Dated: New York, New York
February 25, 2014

HUGHES HUBBARD & REED LLP

By: /s/ Jeffrey S. Margolin

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Christopher K. Kiplok
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Attorneys for James W. Giddens, Trustee for
the SIPA Liquidation of Lehman Brothers
Inc.

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (SCC) SIPA

**[REVISED PROPOSED] ORDER GRANTING THE TRUSTEE’S
ONE HUNDRED NINETY-SIXTH OMNIBUS OBJECTION
TO GENERAL CREDITOR CLAIMS (INSUFFICIENT DOCUMENTATION CLAIMS)**

Upon the one hundred ninety-sixth omnibus objection to claims, dated January 28, 2014 (the “One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims”), [ECF No. 8140]¹ of James W. Giddens (the “Trustee”), as trustee for the liquidation of Lehman Brothers Inc. (the “Debtor” or “LBI”) under the Securities Investor Protection Act of 1970, as amended, 15 U.S.C. §§ 78aaa *et seq.* (“SIPA”), seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), as made applicable to this proceeding pursuant to sections 78fff(b) and 78fff-1(a) of SIPA, and Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), disallowing and expunging the Insufficient Documentation Claims on the grounds that the claims do not contain sufficient documentation to determine their validity, as more fully described in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims; and due and proper notice of the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims having been provided, and it appearing that no other or further notice need be provided; and the Court having found and

1. Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims.

determined that the relief sought in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims is in the best interests of LBI, its estate, its customers and creditors, and all parties in interest and that the legal and factual bases set forth in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims is granted; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit 1 are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that the Trustee has withdrawn without prejudice his objection with respect to the claims listed on Exhibit 2 annexed hereto; and it is further

ORDERED that this Order has no res judicata, estoppel or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to, any claim listed on Exhibit A annexed to the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims that is not listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation and/or interpretation of this Order.

Dated: New York, New York
February __, 2014

HONORABLE SHELLEY C. CHAPMAN,
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

IN RE LEHMAN BROTHERS INC., CASE NO: 08-01420 (SCC) SIPA

ONE HUNDRED NINETY-SIXTH OMNIBUS OBJECTION TO GENERAL CREDITOR CLAIMS:

EXHIBIT 1 - INSUFFICIENT DOCUMENTATION CLAIMS

	NAME / ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	TOTAL CLAIM DOLLARS	TRUSTEE'S REASON FOR PROPOSED DISALLOWANCE
1	BNP PARIBAS SECURITIES SERVICES ANDREW CLEMENTS LEVEL 7, 60 CASTLEREAGH STREET SYDNEY, SD NSW 2000 AUSTRALIA	7001704	4/1/2009	\$85,156.25	CLAIM LACKS SUFFICIENT DOCUMENTATION.
2	BROADFOOT, BRAD OWEN AND LAURIE ANN JTWROS 2420 N. LONGWOOD CIRCLE WICHITA, KS 67226-1126	3652	2/20/2009	\$8,275.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
3	CHUBE, DAVID D P O BOX 269 GARY, IN 46402	7001299	3/9/2009	\$258.80	CLAIM LACKS SUFFICIENT DOCUMENTATION.
4	DESERET TRUST CO FBO BENEFICIAL LIFE INS CO DBA BENEFICIAL FIN GROUP DAVID PEARCE PO BOX 11558 SALT LAKE CITY, UT 84147	7002596	6/1/2009	\$13,911,410.99	CLAIM LACKS SUFFICIENT DOCUMENTATION.
5	FANG, HONG 5011 BEECH COURT MONMOUTH JUNCTION, NJ 08852	8000400	12/17/2008	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
6	FRANSI TADAWUL LLC P.O.BOX 56006 RIYADH 11554 SAUDI ARABIA	7000852	1/30/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
7	FRENCH, CAROLYN O 203 WATERSIDE DR LAFAYETTE, LA 70503	7001395	4/30/2009	\$27,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.

* Claim includes unspecified amounts (i.e., amounts not specified by the claimant, amounts listed in a foreign currency, unliquidated amounts and/or amounts listed as “unknown”, “\$0.00*”, “unascertainable”, “undetermined”, or where no dollar amounts were entered in the spaces provided on the proof of claim form), or is a customer claim reclassified to a general creditor claim, which, consistent with the general creditor claims register, is listed as unspecified even where the claimant listed a specific amount on the SIPC customer claim form.

	NAME / ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	TOTAL CLAIM DOLLARS	TRUSTEE'S REASON FOR PROPOSED DISALLOWANCE
8	MCNAMEE, EDWARD F. 9 HARBOR DRIVE RUMSON, NJ 077601018	7001892	5/21/2009	\$9,434.61	CLAIM LACKS SUFFICIENT DOCUMENTATION.
9	MELIS, HENRICUS M.G.B. LANDSTEINERLAAN 7 EINDHOVEN 5644DA NETHERLANDS	7001220	2/6/2009	\$30,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
10	NEVAREZ-JAQUEZ, ILKA J 85-10 34TH AVENUE APARTMENT 523 JACKSON HEIGHTS, NY 11372	3047	1/30/2009	\$5,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
11	SMITH, RUSSELL 15 SILVER LAKE DRIVE SUMMIT, NJ 07901	7002150	5/28/2009	\$36,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
12	U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE TIMOTHY PILLAR 60 LIVINGSTON AVE. SAINT PAUL, MN 55107-2291	5558	6/1/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
13	VAN RYZIN SEPARATE TR HARRIS N.A. 111 W. MONROE ST FLOOR 111/LLE ATTN: MINA GARCIA CHICAGO, IL 60603	1925	1/28/2009	\$30,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
14	VEGA, KRISTINA E. 2130 FIRST AVENUE APARTMENT 802 NEW YORK, NY 10029	150	12/12/2008	\$2,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
Total (excludes unspecified amounts)				\$14,144,535.65	

* Claim includes unspecified amounts (i.e., amounts not specified by the claimant, amounts listed in a foreign currency, unliquidated amounts and/or amounts listed as “unknown”, “\$0.00*”, “unascertainable”, “undetermined”, or where no dollar amounts were entered in the spaces provided on the proof of claim form), or is a customer claim reclassified to a general creditor claim, which, consistent with the general creditor claims register, is listed as unspecified even where the claimant listed a specific amount on the SIPC customer claim form.

EXHIBIT 2

IN RE LEHMAN BROTHERS INC., CASE No: 08-01420 (SCC) SIPA
ONE HUNDRED NINETY-SIXTH OMNIBUS OBJECTION: EXHIBIT 2- WITHDRAWN CLAIMS

	NAME / ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	TOTAL CLAIM DOLLARS	TRUSTEE'S REASON FOR PROPOSED DISALLOWANCE
1	EMMERT, JAMES R 35 PROSPECT AVENUE GARDEN CITY, NY 11530	8001324	1/22/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
2	HARRER, WILLIAM V, MD, PA PROFIT SHARING TRUST FBO DR. HARRER 129 THE MEWS HADDONFIELD, NJ 08033-1344	4477	5/11/2009	\$12,362.97	CLAIM LACKS SUFFICIENT DOCUMENTATION.
3	RIJ INTERNATIONAL EQUITY ELLIOTT COHEN C/O RUSSELL INVESTMENTS 909 A ST TACOMA, WA 98402	5094	5/29/2009	\$3,470.30	CLAIM LACKS SUFFICIENT DOCUMENTATION.
4	RUDRA, KAUSHIK 11 SHERINGHAM ST JOHNS WOOD PARK LONDON NW86QX UNITED KINGDOM	8001239	1/20/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
5	VERHAGEN, FRANS L.J.M. KOEKOEKLAAN 6 BEST 5683PJ NETHERLANDS	7000543	1/27/2009	\$23,350.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
Total (excludes unspecified amounts)				\$39,183.27	

EXHIBIT B

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (~~JMP~~SCC) SIPA

**[REVISED PROPOSED] ORDER GRANTING THE TRUSTEE’S
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1. Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims.

determined that the relief sought in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims is in the best interests of LBI, its estate, its customers and creditors, and all parties in interest and that the legal and factual bases set forth in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims is granted; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit 1 are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that the Trustee has withdrawn without prejudice his objection with respect to the claims listed on Exhibit 2 annexed hereto; and it is further

ORDERED that this Order has no res judicata, estoppel or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to, any claim listed on Exhibit A annexed to the One Hundred Ninety-Sixth Omnibus Objection to General Creditor Claims that is not listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation and/or interpretation of this Order.

Dated: New York, New York
February __, 2014

HONORABLE SHELLEY C. CHAPMAN,
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

IN RE LEHMAN BROTHERS INC., CASE No: 08-01420 (~~JMP~~SCC) SIPA

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5	EMMERT, JAMES R 35 PROSPECT AVENUE GARDEN CITY, NY 11530	8001324	1/22/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
<u>65</u>	FANG, HONG 5011 BEECH COURT MONMOUTH JUNCTION, NJ 08852	8000400	12/17/2008	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
<u>76</u>	FRANSI TADAWUL LLC P.O.BOX 56006 RIYADH 11554 SAUDI ARABIA	7000852	1/30/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.

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108	MCNAMEE, EDWARD F. 9 HARBOR DRIVE RUMSON, NJ 077601018	7001892	5/21/2009	\$9,434.61	CLAIM LACKS SUFFICIENT DOCUMENTATION.
119	MELIS, HENRICUS M.G.B. LANDSTEINERLAAN 7 EINDHOVEN 5644DA NETHERLANDS	7001220	2/6/2009	\$30,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
121 <u>0</u>	NEVAREZ-JAQUEZ, ILKA J 85-10 34TH AVENUE APARTMENT 523 JACKSON HEIGHTS, NY 11372	3047	1/30/2009	\$5,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
13	RIJ INTERNATIONAL EQUITY ELLIOTT COHEN C/O RUSSELL INVESTMENTS 909 A ST TACOMA, WA 98402	5094	5/29/2009	\$3,470.30	CLAIM LACKS SUFFICIENT DOCUMENTATION.
14	RUDRA, KAUSHIK 11 SHERINGHAM ST JOHNS WOOD PARK LONDON NW86QX UNITED KINGDOM	8001239	1/20/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
151 <u>1</u>	SMITH, RUSSELL 15 SILVER LAKE DRIVE SUMMIT, NJ 07901	7002150	5/28/2009	\$36,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.

* Claim includes unspecified amounts (i.e., amounts not specified by the claimant, amounts listed in a foreign currency, unliquidated amounts and/or amounts listed as “unknown”, “\$0.00*”, “unascertainable”, “undetermined”, or where no dollar amounts were entered in the spaces provided on the proof of claim form), or is a customer claim reclassified to a general creditor claim, which, consistent with the general creditor claims register, is listed as unspecified even where the claimant listed a specific amount on the SIPC customer claim form.

	NAME / ADDRESS OF CLAIMANT	CLAIM NUMBER	DATE FILED	TOTAL CLAIM DOLLARS	TRUSTEE'S REASON FOR PROPOSED DISALLOWANCE
16 <u>2</u>	U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE TIMOTHY PILLAR 60 LIVINGSTON AVE. SAINT PAUL, MN 55107-2291	5558	6/1/2009	UNSPECIFIED*	CLAIM LACKS SUFFICIENT DOCUMENTATION.
17 <u>3</u>	VAN RYZIN SEPARATE TR HARRIS N.A. 111 W. MONROE ST FLOOR 111/LLE ATTN: MINA GARCIA CHICAGO, IL 60603	1925	1/28/2009	\$30,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
18 <u>4</u>	VEGA, KRISTINA E. 2130 FIRST AVENUE APARTMENT 802 NEW YORK, NY 10029	150	12/12/2008	\$2,000.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
19	VERHAGEN, FRANS L.J.M. KOEKOEKLAAN 6 BEST 5683PJ NETHERLANDS	7000543	1/27/2009	\$23,350.00	CLAIM LACKS SUFFICIENT DOCUMENTATION.
Total <u>(excludes unspecified amounts)</u>				\$14,183,718.92 <u>14,144,535.65</u>	

* Claim includes unspecified amounts (i.e., amounts not specified by the claimant, amounts listed in a foreign currency, unliquidated amounts and/or amounts listed as “unknown”, “\$0.00*”, “unascertainable”, “undetermined”, or where no dollar amounts were entered in the spaces provided on the proof of claim form), or is a customer claim reclassified to a general creditor claim, which, consistent with the general creditor claims register, is listed as unspecified even where the claimant listed a specific amount on the SIPC customer claim form.

EXHIBIT 2

IN RE LEHMAN BROTHERS INC., CASE No: 08-01420 (SCC) SIPA
ONE HUNDRED NINETY-SIXTH OMNIBUS OBJECTION: EXHIBIT 2- WITHDRAWN CLAIMS

	<u>NAME / ADDRESS OF CLAIMANT</u>	<u>CLAIM NUMBER</u>	<u>DATE FILED</u>	<u>TOTAL CLAIM DOLLARS</u>	<u>TRUSTEE'S REASON FOR PROPOSED DISALLOWANCE</u>
<u>1</u>	<u>EMMERT, JAMES R</u> <u>35 PROSPECT AVENUE</u> <u>GARDEN CITY, NY 11530</u>	<u>8001324</u>	<u>1/22/2009</u>	<u>UNSPECIFIED*</u>	<u>CLAIM LACKS SUFFICIENT DOCUMENTATION.</u>
<u>2</u>	<u>HARRER, WILLIAM V, MD, PA PROFIT SHARING</u> <u>TRUST</u> <u>FBO DR. HARRER</u> <u>129 THE MEWS</u> <u>HADDONFIELD, NJ 08033-1344</u>	<u>4477</u>	<u>5/11/2009</u>	<u>\$12,362.97</u>	<u>CLAIM LACKS SUFFICIENT DOCUMENTATION.</u>
<u>3</u>	<u>RIJ INTERNATIONAL EQUITY</u> <u>ELLIOTT COHEN C/O RUSSELL INVESTMENTS</u> <u>909 A ST</u> <u>TACOMA, WA 98402</u>	<u>5094</u>	<u>5/29/2009</u>	<u>\$3,470.30</u>	<u>CLAIM LACKS SUFFICIENT DOCUMENTATION.</u>
<u>4</u>	<u>RUDRA, KAUSHIK</u> <u>11 SHERINGHAM</u> <u>ST JOHNS WOOD PARK</u> <u>LONDON NW86QX</u> <u>UNITED KINGDOM</u>	<u>8001239</u>	<u>1/20/2009</u>	<u>UNSPECIFIED*</u>	<u>CLAIM LACKS SUFFICIENT DOCUMENTATION.</u>
<u>5</u>	<u>VERHAGEN, FRANS L.J.M.</u> <u>KOEKOEKLAAN 6</u> <u>BEST 5683PJ</u> <u>NETHERLANDS</u>	<u>7000543</u>	<u>1/27/2009</u>	<u>\$23,350.00</u>	<u>CLAIM LACKS SUFFICIENT DOCUMENTATION.</u>
	<u>Total (excludes unspecified amounts)</u>			<u>\$39,183.27</u>	

* Claim includes unspecified amounts (i.e., amounts not specified by the claimant, amounts listed in a foreign currency, unliquidated amounts and/or amounts listed as "unknown", "\$0.00*", "unascertainable", "undetermined", or where no dollar amounts were entered in the spaces provided on the proof of claim form), or is a customer claim reclassified to a general creditor claim, which, consistent with the general creditor claims register, is listed as unspecified even where the claimant listed a specific amount on the SIPC customer claim form.